

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

In re:

KATHLEEN L. LANDBERG,
Debtor,

TERRENCE J. DONAHUE,
Plaintiff,

v.

RONALD C. LANDBERG, SR.,
Defendant.

Case No. C06-5393RJB

ORDER GRANTING
MOTION FOR
PERMISSION TO
APPEAL IN FORMA
PAUPERIS

This matter comes before the court on review of the file.

On June 22, 2006, defendant Ronald C. Landberg, Sr., filed a Notice of Appeal of orders of the bankruptcy judge. Dkt. 1, Notice of Appeal. The case was referred to the Bankruptcy Appellate Panel of the Ninth Circuit U. S. Court of Appeals. Plaintiff Terrence J. Donahue, Chapter 7 Trustee, elected to have the appeal in this matter heard by the district court, pursuant to 28 U.S.C. § 158(c)(1)(a)(B) and Bankruptcy Rule 8001(e).

On August 3, 2006, the court issued an Order to Show Cause, directing that Mr. Landberg (1) show cause, in writing, why he has failed to pay the filing fee; or why he has failed to file a designation of record, statement of issues, and notice regarding the transcript; or (2) in the alternative, pay the \$255 filing

1 fee; and file a designation of record, a statement of issues, and a notice regarding the transcript. Dkt. 5.

2 On August 17, 2006, Mr. Landberg filed a Designation of Record (Dkt. 8), Statement of Issues
3 (Dkt. 7), a Statement of Arrangements (Dkt. 6). He also filed a Motion for Permission to Appeal In Forma
4 Pauperis. Dkt. 9.

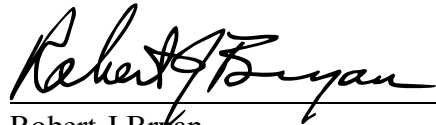
5 The district court may permit indigent litigants to proceed *in forma pauperis* upon completion of a
6 proper affidavit of indigency. See 28 U.S.C. § 1915(a). Plaintiff's declaration in support of his motion to
7 proceed *in forma pauperis* indicates that he is unable to afford to pay the filing fee at this time.
8 Accordingly, Mr. Landberg's motion to proceed *in forma pauperis* should be granted.

9 Therefore, it is hereby

10 **ORDERED** that Ronald C. Landberg, Sr.'s Motion for Permission to Appeal In Forma Pauperis.
11 (Dkt. 9) is **GRANTED**.

12 The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any
13 party appearing *pro se* at said party's last known address. The Clerk is further directed to proceed with
14 scheduling in this matter.

15 DATED this 21st day of August, 2006.

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18 Robert J Bryan
19 United States District Judge
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